

Toleration and Conscience

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At the meeting of the World Council of Churches at Evanston in 1954 it was reported in the newspapers that a movement, within its organization, was pressing for a motion against the Roman Catholic Church condemnatory of its alleged persecuting activities against Protestants in such countries as Spain and Colombia. The motion was successfully shelved by the skilled and tactful chairmanship of the then Archbishop of Canterbury, Dr. Fisher. It is very generally admitted, and often publicly stated, by leaders of the Ecumenical movement, that any thought or action on its part which definitely excluded the Roman Catholic Church because of the difficulties involved, would damage its Ecumenical character and tend to render it pan-Protestant and anti-Roman. Nevertheless, even within the movement, there are Protestant pressure-groups which are anti-Catholic, especially because of the charges of persecuting intolerance made against the Church, and these would like to see it ousted from consideration in the work of the World Council for Christian Unity.

But even where alleged persecuting intolerance is not seen as a reason for the complete exclusion of Roman Catholicism from the ultimate concept of Christian unity, this charge undoubtedly causes concern even amongst those non-Catholic leaders who are otherwise well disposed towards the Church; there is always the lurking suspicion that if and when Rome gets the power it will of its very nature turn persecutor. This suspicion is strengthened by a prevalent belief that the only orthodox doctrine of religious freedom permissible to Catholics is that based upon the distinction between *thesis* and *hypothesis*.¹ In *thesis*, where pure Roman Catholic principles can be applied, error must not be allowed to be propagated. Only in *hypothesis*, when in adverse circumstances Roman Catholics cannot prudently impose their principles, can freedom to the propagation of error be provisionally tolerated as

¹This belief underlies the exposition of the problem of religious education in the nineteenth century in a recently published book, *Man as Churchman*, The Wiles Lectures by N. W. Sykes, Dean of Winchester; Cambridge University Press 1960.

the lesser evil.² The result of this teaching is held to be that as a minority they claim external religious freedom, but as a majority, should they gain power, they will deny it to others. It is true that in various forms the theory of thesis and hypothesis is defended by certain Catholic theologians, but it is also true that it represents only one phase in a series of differing positions taken up by churchmen from the early days when they were first engaged with the problem of religious freedom.

Throughout two fundamental principles have been at work, sometimes obscured or applied with varying emphasis to existing social and political circumstances, yet always accepted in the mind of the Church as such. These are (a) the distinct rights of ecclesiastical and civil power, or, as we say now, of Church and State, each competent in its own sphere, coupled with the co-ordination of their respective functions, and (b) the inviolability of conscience, and its corollary that, though error has and can have no rights since, technically speaking, a full right responds to the objective truth of things, no public authority exists possessing the right to force a man to act against his conscience even though in fact he be mistaken. At a particular period in history one principle may stand out with great clarity while the other falls into the background and becomes scarcely noticed. Later, in course of time, the latent principle begins to come into its own, and later still the wheel of development will turn through its full circle and return to the position it started from, and there perhaps meet with fuller understanding.

In examining this complex problem throughout the passage of history down the centuries we must not consider axioms or particular attitudes in isolation, we must scrutinize, with close attention, the Church's attitude as a whole. We must take note of its latent attitudes side by side with the temporary and 'ad hoc' attitudes forced upon it and upon society by the exigency of critical historical situations. In doing this we may discern, beneath these varying and sometimes inconsistent phases, the growth of a living unity of principle and a line of true development.

To undertake this task adequately we need a comprehensive and impartial view of the complex history of the growth of religious freedom. This view must be seen within the context of differing forms of social milieu, in which the Church has lived and propagated the life of grace, and it must include the development within it of the principles upon which such freedom is based. For this reason the English translation

²*Roman Catholicism and Religious Liberty* by A. F. Carrillo de Albornoz, published by the World Council of Churches, Geneva, p. 5.

recently issued of the classic work of Père Joseph Lecler S.J., first published in French in 1955, is most welcome.³ It will do much, on both sides of the barriers to unity, to help us all to take a measured view of our intolerance in the past and of the true nature of our future tolerance. Strictly speaking the scope of these two volumes is limited to the century of the Reformation, 1517-1617. It covers in great detail, not so great however that we fail to see the wood for the trees, all the countries of Europe affected by the Reformation. In the course of this Père Lecler examines the efforts towards reconciliation by Princes, rulers, and the fathers of the Reformation before it was fully recognized that the unity of Christendom was broken irretrievably in their own age. He then analyzes the arguments and theories of the scholars and writers, on both sides, who favoured toleration in one form or another, the limits placed to such tolerance, and the factors which operated to hinder or retard its growth.

Père Lecler's work is outstanding for the completeness of its documentation, yet it can be read with equal profit by specialist and ordinary reader so skilfully does he marshal his learning. His second volume contains an extended treatment of France, the Low Countries and England. This latter is in itself a book of some hundred and more pages. In it he shows the power of the Tudor monarchy, under Henry VIII and his daughter Elizabeth, in maintaining the Church of England in being by the authority of the Crown. Without this it would have been squeezed out of existence between the rising power of the Puritans and the solid block of the Papists with their thousands of inactive sympathizers. This policy entailed the ruthless persecution of both. It was in the latter half of Elizabeth's reign, in the second generation of her subjects, that Anglicanism as we know it came into being. It rose under the protection of the Crown, the influence of Richard Hooker's theology and the leadership of Archbishops Whitgift and Bancroft, to an independence of ethos that began to capture the hearts of the English people.

Not the least valuable parts of the book are its beginning and its end. The opening chapters consist of preliminary data and set out the Old Testament attitude to toleration and its transformation by the gospel. Père Lecler points out the emphasis laid on conscience by the the New Testament writers, and especially St Paul. He indicates their belief in

³*Toleration and the Reformation* by Joseph Lecler S.J. Professor at the Institut Catholique, Paris; translated by T. L. Weston; Longmans; Vol I 50s., Vol II 63s. The translation reads easily and shows little or no sign of being a translation.

the autonomy of the Church within the political autonomy of society in the Roman Empire, and he makes clear the entire absence of any idea of persecution in their attitude to sinners and heretics. An analysis follows of the patristic period, revealing an almost equal absence of the persecution concept, but a subsequent growth of it, by slow degrees, within the political and religious structure of medieval Christendom.

The conclusions at the end of Volume II give an excellent summary of principles which have been disentangled from the particulars of the historical situation and then applied to their analysis and understanding.

These principles, which as has already been said are reducible to two, involve respect for the free and proper activity of Church and State in their own field and for the inviolability of conscience, including a conscience sincerely erroneous. Of the first it can be said that for complete harmony the State should be in agreement with the Church as to the bases of morality; in other words the civil government should proceed upon a true idea of the natural law, which involves at least belief in God, and allow for the preaching of divine revelation to interpret it correctly. Of the second it can be said that conscience cannot and must not be forced; *ad amplexandam fidem Catholicam nemo invitus cogatur*, the clause in the Code of Canon Law which states this in principle. Religious persecution results when either the civil power usurps religious power and attempts to form men's consciences, or when religious power takes over or seeks the aid of temporal power to force men's consciences. The Henrician and Elizabethan persecutions were instances of the former, the Marian persecutions of the latter. Whenever Church and State diverge, there is danger, in proportion to their divergence, of damage to men's consciences by malformation or compulsion; this is true not only of divergence between Church and State, but also of divergence between the State and religion in its widest sense, provided such religion contains elements of true morality.

From this it will be seen that in making and administering its laws it is dangerous for the State to be without standards of morality based on religion. Even a purely humanist state, in fact, derives much of its legislation from the natural law embedded in us by God the Creator. In England we are struggling, sometimes hardly consciously, to retain much in our tradition that derives from the Christian interpretation of the natural law. The reason is that there is a fundamental difference between a conception of freedom based upon the natural law, seen in the light of divine revelation, and one arising from the ideas of liberal humanism. In humanism all truth is seen as relative; the highest law is

not divine and therefore not absolute, but proceeds from conceptions of the human mind, working in independence, without reference to the framework of God's law, set there by his creation. Underlying many ideas, even among Christians, on the nature of freedom of thought and the rights of error, is a false or one-sided conception of freedom, derived from this source.

In the Christian view freedom derives from complete dependence upon God, who is absolute freedom, and upon his truth which makes us free, because by grace we are made sharers in the freedom of the divine life. In face of human society however a relative freedom is rightly claimed for sincere error. Since there is no appeal against conscience as the subjective guide to conduct, it is classical moral teaching that a sincere but erroneous conscience should not be disobeyed, come what may; though we are equally bound to use every available means to exclude error from it. The Catholic Church goes a great deal further than to tolerate error as an act of individual charity. It teaches that respect for sincere conscience is a demand of justice, which may not rob a man of what is his own unless his exercise of it deprives others of their fundamental rights. These claims of our consciences are both personal and corporate, they belong to individuals and to groups; no authority, civil or religious, may force a sincere conscience.

Religious freedom then is an inherent right, it belongs to our nature as human. Since man is made in God's image, free will involves conscience, and conscience even when in error is supreme because it is the means of his proper fulfilment and the guiding compass on his journey to God. Any restrictions therefore upon the rights of conscience, save those which safeguard the proper liberties of others, are contrary to God's will because contrary to the inherent nature of his rational creation.

The safeguarding of the proper liberties of other human beings in modern life presents both Church and World with complex problems; at home and abroad, in the field of international relations, in politics and in religion. The State has the primary right to judge when interference with human liberty is taking place and to restrain it if necessary by force. The Church, and indeed religion in a wider sense, should be a source from which the State draws its moral judgments, but in the secularized world of to-day, where religion is isolated from society in general, this is becoming less and less the case. Yet amid all this bewilderment, uncertainty and loss of standards and direction, among serious and thinking people in every walk of life, and their number is

increasing, we find a growing realization of and sensitivity to the supreme rights of conscience.

In the spiritual sphere the *sensus fidelium*, the mind of the Church and of divided Christendom too, is slowly moving towards the conviction that error in things spiritual can only be met by the spiritual weapon of truth in charity, the truth of the gospel of Christ in the spirit of Christ himself. Hostility and aloofness among Christian people in their separation is slowly beginning to break down and is giving way to a growing desire for unity in Christ. Even in the field of political ideology there are signs, in the world around us, that men and women are waking up to an effective realization that all men everywhere are brethren. We all belong to the human family and error and misunderstanding among brethren is best met by the methods of peace and self giving. We are learning the bitter lesson that modern war can accomplish nothing but destruction. Is it not possible to detect in these signs the beginnings of a movement which is bringing us round full circle to the Church's starting point and to a renewed realization of the fullness of the teaching of its Lord?

It will be of use at this point to sketch very briefly the progressive development down the centuries of sensitivity, in the *sensus fidelium*, to the supreme rights of conscience and of its embodiment in the teaching magisterium of the Church. It is not that any new theory of religious freedom has superseded an older one. The application of the principles changes with changing circumstances, the principles remain the same. The application may well be imperfect at times yet the principles remain true. Originally it was taken for granted that deviation from the authoritative doctrine of the Church was *heresy*, a wilful rebellion against the known truth. Force of historical circumstances has pressed upon the theologians, and through them upon the faithful at large, a far wider realization of the sincerity with which error can come to be held as truth. Here the sincerely erroneous conscience comes into play as a factor in doctrinal development.

This is well illustrated by the parallel case of the development of the doctrine *extra ecclesiam nulla salus*. It was held as true and revealed doctrine, for instance, by St Cyprian in the third century (not to mention the apostles and other New Testament writers at an earlier date). It was St Cyprian who first formulated the tradition in these terms. It is *de fide* still to-day, though St Cyprian's narrower interpretation of it would be and indeed has recently been condemned. The principles underlying it are applied in the twentieth century to far wider spheres of impact

than those they touched in the third. Faith alone saves. St Cyprian attributed good faith and therefore 'invincible' error⁴ to none of the heretics or schismatics of his time, and who is to say that St Peter and St Paul differed from him. St Paul at least took no lenient view of the sincerity of his Judaizing opponents. It was generally assumed in the early ages of the Church and indeed much later, that the pagan, the heretic and the unbeliever were equally damned. They were called *infidels*, persons without faith. Historical circumstances, the fragmentation of Christendom by the Reformation schisms and the opening up of the new world initiated by explorers, missionaries and merchants from the fifteenth century onwards worked a change. The mind of the Church was enlarged by the realization that there are millions outside its visible boundaries who nevertheless can have saving faith. Such implicit faith depends upon a sincere though erroneous conscience, it is limited in its extension by many differing factors, yet it is capable of relating those who possess it to the vital Christ-life, which the Catholic Church, Christ's Mystical body, mediates to mankind. In some sense all men are potential to membership of the Church.

A similar development can be observed in the matter of religious freedom. It was widely assumed here also, in the early Church and throughout the dark and middle ages, that all error was *heresy*, a sinning against the light by obstinate and tenacious self-choosing. So much was this the case that the supremacy of conscience, though recognized as true, tended to be neglected in practice. Error was almost universally regarded as malicious. This attitude persisted during the Reformation period so that persecution was common to both Protestant and Catholic. In a society wholly Catholic or wholly Protestant the idea that divergence from commonly held beliefs was destructive of the very fabric of that society, and therefore of the State, was universal. England and Spain are examples. England to-day has become pluralist in the religious background of its culture. The Catholic culture of Spain maintains itself even where religious practice is minimal. There the traditional view that heresy is a crime keeps an almost unconscious hold and has not yet wholly given place to the impact of the new emphasis upon the supremacy of the sincerely erroneous conscience. That this emphasis is spreading and permeating the mind of the Church can hardly be doubted.

From the ecumenical point of view however it must be recognized

⁴The technical theological term for error that is not culpable because beyond the present power of the person conscientiously holding it to eradicate.

that the Churches that are heirs of the Reformation schisms have unambiguously rejected the belief that any one Church can ever claim a monopoly of the fullness of revelation, nor can the Church as a whole possess an *infallible* criterion of its truth. This rejection is a corollary of acquiescence in the notion of the Church as a divisible and actually divided entity, a notion wholly foreign to historic Christendom. To reject infallibility is in fact to reject the certainty of faith-knowledge, and this leads to the contention that error has rights, in the sense that toleration of it is not only an act of justice towards sincere conscience but is a necessary recognition of it as an indispensable means, under God's providence, of arriving at truth. God, so it is contended, gives to human minds access to truth in terms of the struggle with error, and only in these terms.⁵

It is difficult to see how this position can be maintained by non-Catholic theologians unless all dogmatic belief is to be eliminated by an extreme form of Lutheran *fideism*, reducing faith to sheer trust in Christ with a minimal intellectual content. Such a proposal would be all too congenial to the outlook of the liberal humanism which we have criticized earlier in this article. Our faith-knowledge is surely grounded in the gift of grace which enables us to recognize that God is speaking to us and giving us that share in his knowledge we need, the truth which is the way to him; we believe without doubting what he is saying to us. For the Catholic this word of God, his revelation, is mediated to us through Christ dwelling in his Church, and the Church interprets it for us without fear of error under the sure guidance of the Holy Spirit. For the Protestant this word of God, his revelation, comes to him direct from the Scriptures without the mediation of the Church, at least in the sense in which Catholics understand it. But nevertheless it is the word of God and he believes because God is speaking to him, and he is guided by the Holy Spirit; not as we hold through the divine society, the true Church, but at least in his own heart. Surely his belief in God's word is infallible, as we hold ours to be. He hears the word of God and keeps it because it is God's word and is recognized as such, in a way not different from ourselves; though the scope of his faith, its

⁵What follows in this article is the continuation of a friendly exchange between myself and a Protestant correspondent concerning the views just expressed. It arose out of my review of *Roman Catholicism and Religious Liberty* by A. F. Carrillo de Albornoz in *Frontier*, Winter Number, IV 1960. The comment and reply is carried on into the Spring Number, I 1961, but for lack of space the Editor was unable to carry it further. Part of my review is incorporated in this article.

extension, is not the same as ours, it contains at least the central truth of Christ's redeeming power,

Theology is not revelation, it is rational thinking about the data of revelation, the application of reasoning to those data in order to elucidate the mysteries of faith to aid the feebleness of human thinking. Theological thinking is as open to human error as any other thinking, and under God's providence it is often, though not of necessity, through error that truth is elucidated. To maintain that error is a necessary element in access to truth is like saying that sin is necessary to progress in holiness. The experience of sin and repentance can lead to a deeper love of God, as they did in Mary Magdalene, the experience gained by error can lead to truth; neither however is necessary or even desirable in itself. Theology presupposes faith and the infallible certainty of faith; the certainty that God is speaking. Its rational discourse is not faith itself, but about faith. It is an important element in the penetration of the mind of the Church into the mysteries of faith and of their subsequent authoritative definition. In this way their unfathomable mystery may be more easily entered into and spiritually apprehended, as far as man's feeble powers will allow.

Our faith-knowledge then is infallibly known. It gives us a certainty that can transcend our doubts because it is not grounded on human reasoning but on God's word spoken in mind and heart. Since it is so known it will not be called in question. Its meaning may be argued about and elucidated; it will not be denied, save when faith has disappeared. All our discussion, our theologizing, our rational scrutiny of the faith commits us, without intermission, to a rigorous loyalty to truth, a scrupulous regard for the canons of sound scholarship and a continuing effort to maintain the purity of truth. The Catholic Church does claim to possess 'the fullness of revealed truth' and believes that at the ultimate stage its supreme authority is divinely safeguarded from ever betraying or denying that fullness. That does not mean, however, either that human thought, embodied in propositions, can ever exhaust or fully penetrate the mystery of faith, though it can, humanwise, protect it from corruption; nor does it mean that in the life of the Mystical Body prayer, worship and contemplation, together with the integrity of scholarship do play a very large, but not a final part in the elucidation and guardianship of truth. That is the work of the teaching magisterium and is a work of judgement, for which the successors of the Apostles, in unity with St Peter's successor, receive the grace of their office. Catholics would agree that freedom of expression and dis-

cussion in theological matters is the surest protection of truth, and that only in this way can justice be done to the universality of sin and of fallible human creatureliness. But we believe also that we can know and recognize God's word by faith in and through his Church, and when that is known and recognized to reject it is the sin of disobedience to the known truth, a sin against the majesty of God. We can and should carry out at all times without fear the ideals of scholarship we have spoken of, in the confidence that revealed truth, which is faith-knowledge, and the truths of reason and critical research both have God for their source.

A thorough understanding of the Catholic view in these matters, coupled, on the Catholic side, with a sympathetic knowledge of non-Catholic thinking is the surest way to the unity in faith for which we all pray.

Myth, Symbol and Revelation

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It may be helpful to approach the subject of the place of symbols in Christianity from the consideration of two sets of difficulties or disabilities which seem to affect many Catholics nowadays in the western world.

First, Catholics are often accused of not reading the Old Testament. If this is true, and by and large it seems to be, it is important for us to discover why it is so; and the likely explanation seems to be that to a great extent we have lost the clue to the reading of the book, we have forgotten the 'language', the idiom, in which it is written. Again it seems undeniably true to say that the modern Catholic, however deep and vivid his belief in the efficacy of the sacraments, often finds little meaning if any in their ritual, the ritual for instance of the baptismal waters; whereas it is clear that in the days of primitive Christianity this same ritual had on the neophyte an immensely vivid impact.

Secondly, many Catholics nowadays seem to feel that the formulas, the propositions, in which the Christian faith is stated and propounded